

## Can I Lose My Job Because of A Workers' Compensation Injury?

The law prohibits your employer from discharging or discriminating against you because of your workers' compensation injury. If you believe you have been discriminated against because of your injury, you should discuss your rights with Information and Assistance Officer or with an attorney.

## When Should I Ask For Help?

If you have questions about your claim, seek help immediately from either the Claims Coordinator on your campus or from the claims adjuster who is processing your claim. If you are dissatisfied with the information provided, you may contact Information and Assistance Officer (see next panel) or an attorney.

**Please note:** The purpose of this pamphlet is to provide a general orientation to Workers' Compensation and Industrial Disability Leave. This pamphlet is not intended to be a substitute for Workers' Compensation counseling by the campus Claims Coordinator following a work-related injury or illness.

Please call your campus Claims Coordinator for additional information regarding workers' compensation or Industrial Disability Leave benefits.



# Questions and Answers Workers' Compensation And Industrial Disability Leave

*This pamphlet provides an overview of your Workers' Compensation benefits for job-related injuries or illnesses. The campus Claims Coordinator can provide you a more comprehensive explanation of your rights.*

## What Is Workers' Compensation?

Workers' Compensation is an employer-paid benefit program that provides compensation and medical benefits if you are injured or become ill due to a work related circumstance. In addition, if you are unable to work your employer provides continued salary or compensation to help replace lost wages.

## What Does This Benefit Cover?

Any injury or illness is covered if it is caused by your job. This includes serious injuries as well as first aid injuries. Under Workers' Compensation law, you will receive help if you are injured, no matter who was at fault. Some injuries (e.g., most off-duty recreational activities) may not be covered through the workers' compensation program. Eligibility for benefits will be determined by CSU's third party claims administrator, Sedgwick CMS (Sedgwick).

## When Am I Covered?

Coverage begins the first minute you are on the job and continues anytime you are working.

## Information and Assistance Officers

Anaheim	(714) 738-4038
Bakersfield	(661) 395-2514
Eureka	(707) 441-5723
Fresno	(559) 445-5355
Goleta	(805) 968-4158
Grover Beach	(805) 481-3296
Long Beach	(562) 590-5240
Los Angeles	(213) 576-7389
Oakland	(510) 622-2861
Oxnard	(805) 485-3528
Pomona	(909) 623-8568
Redding	(520) 622-2861
Riverside	(909) 782-4347
Sacramento	(619) 767-2082
Salinas	(831) 443-3058
San Bernardino	(909) 383-4522
San Diego	(619) 767-2082
San Francisco	(415) 703-5020
San Jose	(408) 277-2453
Santa Ana	(714) 558-4597
Santa Monica	(310) 452-1188
Stockton	(209) 948-7980
Van Nuys	(818) 901-5374

Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony.

CSU claims are administered by:

Sedgwick CMS  
P. O. Box 2078  
Oakland, CA 94612  
800-225-2998

APPROVED BY THE  
ADMINISTRATIVE DIRECTOR  
STATE OF CALIFORNIA  
DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF WORKERS' COMPENSATION  
AUGUST 2004



## What are My Benefits?

The program will pay all approved medical and hospital bills associated with your work-related injury or illness.

If you are disabled and cannot work, you may be eligible for either Industrial Disability Leave (IDL), or Temporary Disability (TD). A three day waiting period will apply in most cases for either benefit.

In more serious injury or illness cases, employees may be entitled to permanent disability benefits. Further, supplemental job displacement benefits may be provided when employees are unable to return to their job on a permanent basis. Finally, benefits are paid to qualifying dependents in work-related death cases.

## Medical Benefits

In general, approved medical care consists of treatment reasonably required to cure or relieve from the effects of the injury or illness based upon guidelines established by state law. There are no deductibles in the workers' compensation program. Medical care includes such services as physician or hospital treatment, physical therapy, x-rays and prescribed medicines.

## Industrial Disability Leave (IDL)

If you are a member of PERS or STRS, you may be eligible to select IDL disability benefits in lieu of TD benefits. For the first 22 work days of disability, IDL pays an amount equal to your net pay (full pay minus an amount equal to OASDI and withholding taxes based on your exemptions). If disability continues, IDL pays two-thirds of your gross pay for the balance of 52 weeks. While you are receiving IDL, your normal retirement contributions and voluntary deductions continue. If you are disabled beyond the expiration of IDL benefits, you may be eligible to receive TD benefits. All qualified medical bills will be paid whether you choose IDL or TD benefits under Workers' Compensation.

Your campus Claims Coordinator will notify you if you are eligible, and you must provide written notification within 15 days to choose supplementation. Your choice will be retroactive to your first day of disability benefit eligibility. All IDL benefits are included in your monthly paycheck.

## Who is Eligible for Industrial Disability Leave with Supplementation?

If you are a member of PERS or STRS and a member of certain bargaining units, you may be eligible to supplement IDL with accrued sick leave credits. Your credits must be sufficient to provide with IDL an amount equal to your regular daily salary or wage.

## Temporary Disability

If a work-related injury or illness prevents you from working, you are eligible for temporary disability (TD) income after three days off work (including weekends). You are also eligible to receive TD for the first three days if you are hospitalized during that period, a victim of a violent crime, or if you must stay off work for more than 14 days.

The amount of temporary disability is generally 2/3 of your wages, with a minimum and maximum set by state law. TD benefits are issued every two weeks. TD benefits will end when the treating doctor releases you for work or says your condition has stabilized. For injuries occurring on or after April 19, 2004 TD is limited to 104 weeks within two years of the date that TD payments commence.

## Permanent Disability

If your doctor states your injury or illness will always leave you somewhat limited in your ability to work, you may receive permanent disability payments. The amount will depend upon the doctor's report and factors such as your age, occupation, type of injury and the date of injury. The minimum and maximum amount is set by state law and will vary by date of injury. In general, the total amount is set at a weekly rate spread over a fixed number of weeks. If you have a permanent disability, Sedgwick will send you a letter explaining how the benefit was calculated. Benefits are paid every two weeks.

## Supplemental Job Displacement

If you cannot return to your usual occupation due to the injury or illness, you may be eligible for a voucher for education-related retraining or skill enhancement.

## Dependency Benefits

In the event the work related injury or illness causes your death, payments may be made to your relatives or household members who were financially dependent upon you. The amount of dependency benefits are set by state law and depend upon the number of dependents. Benefit rates are the same as TD and payments are made every two weeks. Workers' Compensation also provides a burial allowance.

## If I am Injured, What Must I Do?

Immediately report the job-related injury or illness to your supervisor. He or she will give you a claim form on which you must describe your injury and how, when and where it occurred. Return the completed form to your supervisor or campus Claims Coordinator who will give you a completed and signed copy and send the remainder to Sedgwick. State law requires employers to authorize medical treatment within one working day of receiving a claim form. Someone from Sedgwick will be in touch with you to explain the benefits you will be receiving.

Your supervisor will also arrange for authorized medical treatment and complete the necessary reports. You may be asked to complete an accident report form. You must furnish your supervisor or Claims Coordinator with a doctor's written work status report prior to resuming your duties. Insure your right to benefits by immediately reporting every work-related injury or illness. **Any delay in reporting may delay or bar your workers' compensation benefits.**

Further, you may not be able to receive benefits if you don't file a claim within one year of the date of injury, the date you knew the injury was work related or the date when benefits were last provided. To be sure you retain your benefit rights, report every injury immediately and request a claim form for any injury other than in a first aid circumstance.

It is illegal for your employer to punish or fire you for having a job injury or illness, for filing a claim, or testifying in another person's workers' compensation case (Labor Code 132a). If proven, you may receive lost wages, job reinstatement, increased benefits, and costs and expenses up to limits set by the state.

# Emergencies call 9-1-1

**What Choices Do I Have For Medical Treatment?** Unless you have pre-designated a personal physician, treatment must be provided by:

Memorial Occupational Charles Maples, D.O.  
Medical Services 3771 Katella Avenue  
2600 Redondo Ave 5<sup>th</sup> fl Suite 110  
Suite 501 Los Alamitos, CA 90720  
Long Beach CA 90806

Emergency Medical Treatment or after hours treatment will be provided by:

Los Alamitos Medical Center  
Emergency Department  
3751 Katella Avenue  
Los Alamitos, CA 90720  
(562) 598-2411

Your primary treating physician (PTP) has overall responsibility for treating your injury or illness. The PTP directs your medical care within recommended guidelines established by law. The PTP is responsible for coordinating care between other medical providers. In more serious cases, the PTP will assess permanent disability, entitlement to supplemental job displacement, and need for future medical services. If you want to change your treating physician, you should contact your campus claims coordinator or Sedgwick.

You may pre-designate a personal physician to treat you in the event of a work-related injury. Your personal physician must be designated by you in writing prior to your injury or illness, must be a Medical Doctor or a Doctor of Osteopathy, and must be your primary care physician who has previously directed your medical care and retains your medical records. The physician must agree to be pre-designated. If you have not given your employer the name of your personal physician before the injury, you may change to your own doctor 30 days after the injury is reported.